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GENERAL COUNSEL

SEP 5 2001

STATE OF SOUTH CAROLINA
DEPARTMENT OF INSURANCE

**Before the State of South Carolina
Department of Insurance**

In the matter of:)

SCDI File Number 2001-105096

Delphine Gidron)

**Consent Order
Imposing Administrative Penalty**

110 Wesley Grove Road)
Cordova, S. C. 29030-0000)
_____)

This matter comes before me pursuant to an agreement entered into between the State of South Carolina and Delphine Gidron, a licensed State of South Carolina insurance agent.

Upon review of this matter, I hereby find as fact that on the date of June 30, 2000, Delphine Gidron, while acting in the capacity of an insurance agent in South Carolina placed the name of a customer on a premium service finance contract without his knowledge or consent. That action is in violation of S. C. Code Ann. Section 38-43-130 (Supp. 1999). Gidron contends it was not her intent to commit forgery but to prevent her customer's automobile insurance from expiring, as the customer had traveled out of state. Nevertheless, Gidron's actions can ultimately lead to the revocation of her license to transact the business of insurance as an agent in South Carolina following a public hearing at the Administrative Law Judge Division pursuant to S. C. Code Ann. § 38-43-130 (Supp. 2000).

Prior to the initiation of any administrative proceedings against her, Gidron and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that, in lieu of the Department seeking to revoke Gidron's resident insurance agent license, she would waive her right to a public hearing and immediately pay an administrative fine in the total amount of \$250.00.

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law that Gidron has violated the law governing licensed agents. As a result, I can now take administrative disciplinary action against her resident insurance agent license. However, under the discretionary authority provided to me

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DU Delphine Gidron

INSURANCE DEPARTMENT
OF SOUTH CAROLINA

within S. C. Code Ann. § 38-43-130(Supp.), and after carefully considering the recommendations of the parties, I hereby impose against Gidron an administrative fine in the total amount of \$250.00. Gidron must pay that fine within ten days of the date of my signature upon this consent order. If she does not timely pay that fine amount her resident insurance agent license will be immediately revoked without further disciplinary proceedings.

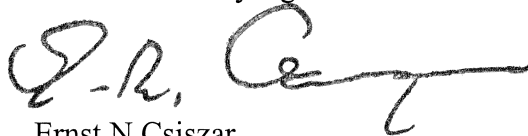
The parties have reached this agreement in consideration of the Department having never taken any administrative disciplinary action against Gidron on this issue before and of her assurances that in the future she will comply with the state's laws. The parties expressly agree and understand Gidron's payment of the agreed upon penalty constitutes full accord and satisfaction of this matter.

By her signature on this consent order, Gidron acknowledges that she understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's Freedom of Information Act, S. C. Code Ann. § 30-4-10, et. seq. (1991 and Supp. 2000). Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report." Code § 38-3-110 (Supp. 2000).

It is therefore; ordered that Delphine Gidron shall, within ten days of the date of my signature on this consent order, pay through the Department an administrative fine in the amount of \$250.00.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states and a copy be placed in Gidron's licensing file.

This consent order becomes effective as of the date of my signature below.



Ernst N. Csiszar
Director

OCT 15, 2001, at
Columbia, South Carolina



Delphine Gidron

I Consent:

Delphine Gidron

Delphine Gidron

110 Wesely Grove Road

Cordova, South Carolina 29030

Dated this 31 day of August, 2001